Secrt. II-27—200,000—21-5-48.

(195) Department.

SERIES.

P-5/E

G.O. No.

3017

Dated 3-12-48

[Despatch Abstract.]

Legislative Assembly Question - Law and Order - Maintenance - Madras Act I of 1947 - Legislative Assembly Starred Question No. 95 regarding number of Rashtriya Swayam Sevak Sangh, Muslim League National Guards and Communists arrested since 1.2.1948 - Papers - Recorded.

NUMBER OF ARRESTS IN THE PROVINCE.

Question 95 - MUHAMMAD RAZA KHAN SAHIB:- Will the Hon'ble the Premier be pleased to state:-

(a) how many members of the Rashtriya Swayam Sevak Sangh, Muslim National Guards and Communists were arrested since 1st February 1948 to date;

(b) how many of them were released by the Government, organizationwar;

(c) how many were ordered to be released by the High Court consequent upon the filing of Habeas Corpus petitions, organization-war;

(d) how many Rashtriya Swayam Sevak Sangh and Muslim National Guard, were re-arrested by the Government, after being released by the orders of the High Court to-date; and

(e) how many petitions were filed in the High Court under Habeas Corpus petitions from 1st February 1948 and how many were successful and how many were rejected?

THE HON'BLE SRI. B. GOPALA REDDI (on behalf of the Hon'ble the Premier):-

(a)	Rashtriya Swayam Sevak Sangh.	374.
	Muslim League National Guards.	51.
	Communists.	456.
(b)	Rashtriya Swayam Sevak Sangh.	365.
	Muslim League National Guards.	28.
	Communists.	NIL.
(c)	Rashtriya Swayam Sevak Sangh.	8.
	Muslim League National Guards.	12.
	Communists.	13.
(d)	Rashtriya Swayam Sevak Sangh.	NIL.
	Muslim League National Guards.	9.

(e).

	Petitions.			
	Filed.	Allowed.	Rejected.	Pending.
Rashtriya Swayam Sevak Sangh.	65	8	57	NIL.
Muslim League National Guards.	25	12	6	7.
Communists.	75	13	9	53.

MUHAMMAD RAZA KHAN SAHIB:- Sir, Can we have this answer printed and supples to Members and supplementary questions taken up to-morrow?

MR. SPEAKER:- Yes, supplementary questions will be taken up to-morrow. The Government should take the responsibility of printing ai circulating the answers.

THE HON'BLE SRI. B. GOPALA REDDI:- Not your office, Sir?

MR. SPEAKER:- It is better the Government do it.

THE HON'BLE SRI. B. GOPALA REDDI:- All right, Sir. I shall have it done.

MR. SPEAKER:- The Member in whose name the question stands is not in his place. The answer will be printed in

the Proceedings.

MR. SPEAKER:-/We will now take up question No. 95 left over yesterday. The Hon'ble Member Mr. Raza Khan may put his supplementary questions.

MUHAMMAD RAZA KHAN SAHIB:- In view of the fact that these Muslim National Guards and Communists have been under detention for the last seven months and their only crime is that they were connected with the Muslim League, may I enquire whether the Government will consider the advisability of releasing these prisoners on our first Independence Day?

THE HON'BLE SRI. B. GOPALA REDDI:- I do not accept the principle of the Hon'ble Member that their only crime was that they were connected with the Muslim League. There are other things with which they were connected. The Government apprehended them on certain other matters. So the question of releasing them does not arise and I cannot give an assurance on the matter.

BEGUM SULTAN MIR AMIRUDDIN:- Are the Government aware that when in England a Public Safety Act was passed furing the war the Home Secretary made it a point to come every month before the House of Commons and give a statement of the number detained and released? Will the Government come before this House every month and give a statement of the number of persons detained under the Act and released?

THE HON'BLE SRI. B. GOPALA REDDI:- I am prepared to come provided there is a question on the matter.

M. MUHAMMAD ISMAIL SAHIB BAHADUR:- Though the Government may not give an assurance with regard to the release of all the detenus will they consider, Sir, the questionof releasing them on the first anniversay of the Independence Day?

THE HON'BLE SRI. B. GOPALA REDDI:- There is no connection between independence and their release. The Government are always considering these cases and whenever it is possible we are releasing them.

ABDUL HAMEED KHAN SAHIB BAHADUR:- Arising out of the answer made before the House, may I ask whether definite and clear grounds on which each one was detained were furnished, because they did not contain the grounds mentioned by the Hon'ble the Minister just now, viz., that there were many other grounds on account of which they were apprehended?

THE HON'BLE SRI. B. GOPALA REDDI:- The very fact that the organization of Muslim Guards has many members on their rolls and all were not arrested, ~~only shows that there were not arrested,~~ only shows that there were positively some grounds against those who were detained.

MOHAMED ABDUL SALAM SAHIB BAHADUR:- Recently it was said that six/were released after giving an apology. Will the Government consider if more apologies are coming forward?

THE HON'BLE SRI. B. GOPALA REDDI:-Certainly the matter will be considered.

SRI. P. NATESAN:- May I know, Sir, why 375 members of the Rashtriya Swayam Sevak Sangh were relased?

THE HON'BLE SRI. B. GOPALA REDDI:- Because it was not necessary to keep them in detention.

SRI. P. NATESAN:- For how long were they under detention?

THE HON'BLE SRI. B. GOPALA REDDI:- For varying periods one month, two months. three months.

MAHABOOB ALI BAIG SAHIB BAHADUR:. Of these cases, how many were reviewed by the Advisory Council and in how many cases the Government released these detenus on the recommendation of the Advisory Council?

THE HON'BLE SRI. B. GOPALA REDDI:- That is an information that I cannot give to the Hon'ble Member.

M. MUHAMMAD ISMAIL SAHIB BAHADUR:- May I know, Sir, when the grounds for detention were actually given to them and after how many months when the answers ~~when the answers~~ were received from the detenus were they submitted to the Advisory Council?

THE HON'BLE SRI. B. GOPALA REDDI:- A separate question may be put.

ABDUL HAMEED KHAN SAHIB BAHADUR:- May I ask, Sir, whether the Government are prepared to treat the detenus of the National Guards in the same manner as they have treated those members of the Rashtriya Swayam Sevak Sangh detained?

THE HON'BLE SRI. B. GOPALA REDDI:- They are two separate organizations. Immediately after the assassination of Mahatma Gandhi, we had to ban the Rashtriya Swayam Sevak Sangh and arrest people belonging to that organization. The atmosphere having now been clear most of them were released. The Muslim National Guards is a different organization and the atmosphere is different.

SRI. V.M. RAMASWAMI MUDALIYAR:- May I know, Sir, whether the eight persons mentioned in the statement are the same persons whose release was ordered by the High Court?

THE HON'BLE SRI. B. GOPALA REDDI:- Perhaps so, Sir.

SRI. A. VEDARATNAM PILLAI:- Are the Government aware, Sir, that those persons who were released during August 1947 are causing trouble in the country?

THE HON'BLE SRI. B. GOPALA REDDI:- Perhaps some of them are causing trouble.

M. MUHAMMAD ISMAIL SAHIB BAHADUR:- The Hon'ble Leader of the House spoke of so many charges against detenus; may I know from him, Sir, whether all those charges were put in as the grounds of detention and supplied to them?

THE HON'BLE SRI. B. GOPALA REDDI:- Definite charges ~~if~~ are given to them; when the information with the Government is not definite, we cannot put in ~~in~~ the charge sheet given to the detenus?

MAHBOOB ALI BAIG SAHIB BAHADUR:- Are there any cases of the Government having released detenus on the recommendations of the Advisory Council?

THE HON'BLE SRI. B. GOPALA REDDI:- Yes, Sir, there are several cases?

M.S. ABDUL MAJID SAHIB BAHADUR:- Is it not a fact that there are several instances of detenus who have already tendered their apologies but are still detained?

THE HON'BLE SRI. B. GOPALA REDDI:- The mere fact that they have tendered an apology is not the sole ground for release, there are also other factors to be considered.

BEGUM SULTAN MIR AMIRUDDIN:- With reference to the answer to my supplementary question, may I enquire why this Government should not adopt the procedure that obtains in Britain with reference to this matter and why the Government should wait for a question to be put to them?

THE HON'BLE SRI. B. GOPALA REDDI:- Why not put down a question every month to elicit the information?

BEGUM SULTAN MIR AMIRUDDIN:- My point is that as it the usual procedure in democratic countries, why not this Government adopt that and give us information without our coming to the House with a question / on the matter?

THE HON'BLE SRI. B. GOPALA REDDI:- We have our own methods of working democracy.

MUHAMMAD RAZA KHAN SAHIB:- In view of the fact that though they were connected with these organizations, they have ceased connection with them, may I enquire what it is that the Government except them to do to follow up their dissociation with those organizations to clear the tenseness of the atmosphere at present?

THE HON'BLE SRI. B. GOPALA REDDI:- They need not do anything; they can remain in jails for some time more.

MOHAMED ABDUL SALAM SAHIB BAHADUR:- In addition to the apology, what are the other thing they will have to do that will be considered by the Government for the release of these detenus?

THE HON'BLE SRI. B. GOPALA REDDI:- Apology alone does not form the criterion for their release and there are others things to be considered, namely, the antecedents of the detenu and his likelihood of doing mischief hereafter and other things of this nature.

ABDUL HAMEED KHAN SAHIB BAHADUR:- Is it not a fact, Sir, that nine of the Muslim National Guards were released by the orders of the High Court but at the very gate of the jail, they were rearrested and if so, whether it is not tantamount to contempt of court?

THE HON'BLE SRI. B. GOPALA REDDI:- If it is a matter of contempt ~~of~~/ of Court, the High Court will take care of the matter.

SRI. V.M. RAMASWAMI MUDALIYAR:- May I know whether the cases of these detenus have been examined by the Advisory Council and what is the average duration between the date of detention and the examination of their cases by the Advisory Council.

THE HON'BLE SRI. B. GOPALA REDDI:- I suggest that a separate question may be put.

BEGUM SULTAN MIR AMIRUDDIN:- May I know, Sir, in how many cases the advice of the Advisory Council has not been accepted?

THE HON'BLE SRI. B. GOPALA REDDI:- I am not prepared to give that information.

P.K. MOIDEEN KUTTI SAHIB BAHADUR:- May I know whether the Government have considered the question of release of detenus in connextion with the contemplated general jail delivery?

THE HON'BLE SRI. B. GOPALA REDDI:- Jail delivery is for the convicts.

MUHAMMAD RAZA KHAN SAHIB:- Supposing the detenus give an undertaking to the Government that they will cease to have any connection with politics or participate in political activities, will the Leader of the House give an assurance that their release will be considered by the Government?

THE HON'BLE SRI. B. GOPALA REDDI:- The question of release will be considered very sympathetically provided they give a fresh apology?

MAHBOOB ALI BAEG SAHIB BAHADUR:- The Leader of the House said that he was not prepared to give information as to the number of persons who have not been released in spite of the

recommendations of the Advisory Council; is it due to his inability to tell us the number or is it that he has any objection to disclose the number. There is a provision in the Act that the cases should be reviewed by the Advisory Council and on the recommendation of the Council the Government is to take action. It cannot be a secret. - a State secret - which cannot be disclosed.

THE HON'BLE SRI. B. GOPALA REDDI:- In public interest, I am not prepared to give that information.

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/True copy/

Office Assistant,
Madras Record Office.

k.y.s. 8.10.

PUBLIC (GENERAL-B) DEPARTMENT

Please see the extract from the printed proceedings of the Assembly at pages 17-20 c.f. containing the answers and supplementaries to the question at page 1 c.f. No further action seems called for. May be recorded in a Miscellaneous Government Order facility of future reference.

x x x
3.12.1948.

G.O. Ms. No. 3017 dated 3.12.1948.
LEGISLATIVE ASSEMBLY QUESTION -
/Law and Order - Maintenance - Madras Act I of 1947 - Legislative Assembly Starred question No. 95 regarding number of Rashtriya Swayam Sevak Sangh, Muslim League National Guards and Communists arrested since 1.2.48 - Papers - Recorded.

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